

ALLEGED SHIPMENT: On or about March 7, 1947, by Greatwestern Distributors, Inc., from Chicago, Ill.

PRODUCT: 910 30-pound cans of frozen whole eggs at Jersey City, N. J.

LABEL, IN PART: "Frozen Eggs Whole 30 lbs Net * * * Morning Sun Frozen Foods * * * Chicago, Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance because of the presence of charred embers and dirt, and was otherwise unfit for food because it was musty and had a strong odor of smoke.

DISPOSITION: June 30, 1947. Cooper-Jarrett, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed, after inspection and examination and under the supervision of the Food and Drug Administration.

12300. Adulteration of frozen whole eggs. U. S. v. 200 Cans, etc. (F. D. C. No. 23407. Sample Nos. 69216-H to 69219-H, incl.)

LIBEL FILED: On or about September 8, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 5, 8, and 17, and July 24, 1947, by Producers Produce Co., from Shelbyville, Mo.

PRODUCT: 466 30-pound cans of frozen whole eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 9, 1947. Dauber Brothers, Chicago, Ill., having appeared as claimant for the above-mentioned lot and for the lot involved in the case reported in notice of judgment on foods, No. 12301, and the cases having been consolidated and the claimant having consented to the entry of a decree, judgment of condemnation was entered. The product was ordered released under bond for the purpose of segregating the good from the bad, under the supervision of the Federal Security Agency. On September 17, 1947, an amended decree was entered providing that the unfit portion be denatured and used for animal feed.

12301. Adulteration of frozen whole eggs. U. S. v. 158 Cans * * *. (F. D. C. No. 23406. Sample No. 69215-H.)

LIBEL FILED: On or about September 8, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 2, 1947, by Rosenberg & Son Produce Co., from Minneapolis, Minn.

PRODUCT: 158 30-pound cans of frozen whole eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 9, 1947. Consent decree of condemnation. Product ordered released under bond. (See F. N. J. No. 12300.)

12302. Adulteration of frozen whole eggs. U. S. v. 332 Cans * * *. (F. D. C. No. 23365. Sample No. 69221-H.)

LIBEL FILED: July 17, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 27, 1947, by Lipsman Fulkerson & Co., from Omaha, Nebr.

PRODUCT: 332 30-pound cans of frozen whole eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: July 23, 1947. Morris Glickstein, Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and denatured or destroyed under the supervision of the Food and Drug Administration.

12303. Adulteration of frozen whole eggs. U. S. v. 220 Cans * * *. (F. D. C. No. 23363. Sample No. 86848-H.)

LIBEL FILED: July 17, 1947, District of Minnesota.

ALLEGED SHIPMENT: Within the period from on or about May 1 to June 4, 1947, by Wist Produce Co., from Webster, S. Dak.

PRODUCT: 220 30-pound cans of frozen whole eggs at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: September 17, 1947. Armour and Company, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of segregating the fit from the unfit and disposing of both in compliance with the law, under the supervision of the Food and Drug Administration.

12304. Adulteration of frozen whole eggs. U. S. v. 187 Cans * * *. (F. D. C. No. 23019. Sample No. 39189-H.)

LIBEL FILED: May 14, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 14, 1947, by Columbia Produce, Inc., from Portage, Wis.

PRODUCT: 187 30-pound cans of frozen whole eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed eggs.)

DISPOSITION: May 21, 1947. Columbia Produce, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be denatured or destroyed, under the supervision of the Food and Drug Administration.

12305. Adulteration of frozen whole eggs. U. S. v. 59 Cans * * *. (F. D. C. No. 23359. Sample No. 69204-H.)

LIBEL FILED: July 17, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 23, 1947, by the Peter Fox Sons Co., from Watertown, S. Dak.

PRODUCT: 59 30-pound cans of frozen whole eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 15, 1947. The Peter Fox Sons Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and denatured or destroyed, under the supervision of the Food and Drug Administration.

12306. Adulteration and misbranding of frozen whole eggs. U. S. v. 117 Cans * * *. (F. D. C. No. 23368. Sample No. 60203-H.)

LIBEL FILED: July 24, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 18, 1947, by the Peter Fox Sons Co., from Watertown, S. Dak.

PRODUCT: 117 30-pound cans of frozen whole eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), egg white with 8 to 15 percent added egg yolk had been substituted for frozen whole eggs.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for frozen whole eggs, since the standard provides that frozen whole eggs are prepared from hen's eggs, broken from the shell with yolks and white in their natural proportions, whereas the article was egg white with 8 to 15 percent of added egg yolk.

DISPOSITION: October 15, 1947. Peter Fox Sons Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled, under the supervision of the Food and Drug Administration.